

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**  
**DISTRICT THREE BILL RUSSELL, PRESIDING**

**February 2, 2015**

**A. CALL TO ORDER**

The February 2, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff's Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Supervisor Mark Gardner presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF JANUARY MINUTES**

The Board of Supervisors considered the minutes for January as presented.

The official minutes of the Board of Supervisors were read for the month of January 2015.

Supervisor Mark Gardner said a correction should be made to name of the presenter of item G.2.b of January 20, 2015 minutes.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept the minutes of the Board of Supervisors for January, 2015, as presented this date with changes to the draft minutes previously submitted. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit D**

**E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS**

Supervisor Bill Russell asked if there was anyone who wished to add or delete items to the Agenda.

Supervisor Jessie Medlin asked County Administrator Vanessa Lynchard if she was ready to discuss the final numbers for insurance. Ms. Lynchard said Rex asked to wait until our next meeting in February. She said they want to run through the numbers one more time.

Supervisor Lee Caldwell wanted to recognize it was Supervisor Medlin’s Birthday today. She said he has served his county well and is a wealth of information. She thanked him for all the help he gave to the new Board of Supervisors over the years.

County Administrator Vanessa Lynchard requested adding the following:

1. CVB Tourism Tax Settlements
2. Dept. of Road Management School Bus Turnaround
  - a. 8511 West Sandidge Road, Olive Branch , MS
  - b. 14860 Byhalia Road, Olive Branch, MS
  - c. East Williams Road off Cub Lake Road, Hernando
  - d. 2194 Horn Lake Road, Nesbit
  - e. 8860 Old Hwy. 61, Walls
3. Grants- Youth Drug Court Grant Close Out
4. Roadside Trash Pick-Up
5. MPO Tip Project List – Approval to Proceed
6. MOU- Cops Grant
7. Personnel – Sheriff’s Department
8. Litigation- William Depriest
9. Property Acquisition - Jail
10. Board Attorney Tony Nowak requested adding to an item to Old Business, the local and private agreement regarding the Sheriff Radar.
11. Road Manager Andy Swims requested deleting item I.6, he asked to carry over this item until the next Board meeting in February.
12. Supervisor Bill Russell requested adding a potential litigation item to the Executive Session, property 7885 Southridge.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Agenda with the additions and deletions set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## 1. CVB Tourism Tax Settlements

Board Attorney Tony Nowak said the Local and Private law requires the funds collected by Department of Revenue (DOR) to be paid to the CVB by the 15<sup>th</sup> of the month. He said technically the distributions are running a month behind because it has to go through the claims docket. Mr. Nowak said the County is a transfer agent of the funds. The DOR can't make payments directly to CVB.

County Administrator Vanessa Lynchard said while in Jackson, MS they had a long conference call with Ken Purvis and Meg Bartlett. DOR said it has to be paid to the County first because it is the Board that assesses the 2% tax. She said the funds are never comingled with County money.

Ms. Lynchard said after further discussion with Mr. Nowak and Chief Financial Officer Tom Arnold it was suggested to have the Board approve a Resolution to allow Mr. Arnold to pay the 2% tourism tax to the CVB upon receipt.

Supervisor Jessie Medlin asked if we do this and there is a mistake how will we get the money back.

Mr. Nowak said the CVB would be obligated to pay any refunds, just as they are doing now. He noted that the current process now encumbers CVB's bookkeeping.

Mr. Nowak read language from the Local and Private Agreement to the Board of Supervisors.

Supervisor Bill Russell agreed with a Resolution and said it will keep us in compliance with the Local and Private Agreement. Supervisor Russell said Mr. Arnold could give the Board a monthly report and make it part of Consent.

Supervisor Jessie Medlin said he likes the current report provided by Mr. Arnold each month.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Resolution authorizing Tom Arnold to pay the 2% tourism tax to the CVB upon receipt.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>NO</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner said he didn't like allowing a check to be written before the Board has had a chance to review.

**See Exhibit E.1**

## 2. Dept. of Road Management School Bus Turnaround

- a. 8511 West Sandidge Road, Olive Branch , MS**
- b. 14860 Byhalia Road, Olive Branch, MS**
- c. East Williams Road off Cub Lake Road, Hernando**
- d. 2194 Horn Lake Road, Nesbit**
- e. 8860 Old Hwy. 61, Walls**

Road Manager Andy Swims said he received a request from the Board of Education asking for the Board to approve maintenance of the school bus turnarounds for the above list of roads. Mr. Swims said he has inspected each road and they do qualify as a bus turnaround.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to

approve maintaining the list of bus turnarounds, in accordance with Mississippi Code Annotated 19-3-42, as presented by Road Manager Andy Swims in Exhibit E.2.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit E.2.a.b.c.d.e**

### **3. Grants- Youth Drug Court Grant Close Out**

Grants Administrator Melissa Zizmann requested approving the closure of FY 13 Youth Drug Court Grant and for Board President to sign Closeout agreement.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the closure of FY 13 Youth Drug Court Grant and for Board President to sign Closeout agreement.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit E.3**

### **4. Roadside Trash Pick-Up**

County Administrator Vanessa Lynchard said she pulled records back from the 1990s that referenced discussions with Board of Supervisors regarding roadside litter. She said over the years there was a County wide clean-up day.

Ms. Lynchard said litter has been an issue in the County for some time and Supervisor Lee and Supervisor Medlin both said they get quite a few calls on this matter.

Supervisor Jessie Medlin said he would like us to get a program in place and follow it.

Supervisor Medlin said he spoke with Environmental Services Manager Ray Laughter and after discussions Supervisor Medlin suggested to allow Mr. Laughter's department handle the hiring of a part-time person to supervise the trustee to pick up trash on all county roads. Supervisor Medlin said they may also be able to use people who are in Youth Court, Drug Court, and Justice Court who need to work community service hours.

Supervisor Medlin asked Sheriff Rasco if we could use the trustees to pick up roadside trash. Sheriff Rasco said yes, however, the person supervising the trustees must understand what a trustee can and can't do.

Supervisor Mark Gardner asked Sheriff Rasco if a civilian can supervise a trusty.

Sheriff Rasco said they can supervise all non-violent offenders. Sheriff Rasco said Ray's department may not want the responsibility of watching the trustees knowing they could bring back contraband back into the jail. Sheriff Rasco gave a couple of examples to the Board of Supervisors.

Supervisor Mark Gardner asked Sheriff Rasco what happened to the deputy that was hired to handle this with the trustees.

Sheriff Rasco said he had to pull him for other duties.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to take this under advisement until next meeting.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>NO</u>

## **No Exhibit**

### **5. MPO TIP Project List- Approval to Proceed**

Supervisor Lee Caldwell said the infrastructure committee submitted 21 projects to Memphis Urban Area Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). She said of the 21 projects submitted 17 have been selected. All of the county projects were approved.

Supervisor Caldwell passed out a spreadsheet of the complete list of projects that were submitted along with their rankings for the Board to review as detailed in Exhibit E.5.

Planning Director Tom Haysley went over the numbers with the Board of Supervisors. He said the numbers are only for the engineering and right of way acquisition fees. He said construction would occur after 2017.

County Administrator Vanessa Lynchard said the next step is for the Board to approve and let MPO know that the local match is available for the projects as detailed in Exhibit E.5.

Supervisor Bill Russell asked County Road Manager Andy Swims if he has looked at this report.

Mr. Swims said he has looked at the report and there is money in the Road Department's budget to do these projects. He said they are already doing some of this work up to a point.

Mr. Swims asked Tom Haysley if we have to wait for the higher ranking roads to be done before we work on the lower ranked roads. Mr. Haysley said no.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the MS 2014-17 TIP projects as detailed in Exhibit E.5 and send a resolution of approval to MPO.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## **See Exhibit E.5**

### **6. MOU- Cops Grant**

Supervisor Caldwell said the Board of Education (BOE) was awarded a grant to assist with

additional funding needed to employ seven School Resource Officers (SRO) in the schools. She said the grant that she wrote for the BOE was awarded ten thousand dollars for every officer which will equal seventy thousand dollars to the Sheriff's department.

Supervisor Caldwell said BOE attorney Keith Treadway will submit a MOU to the Board so the school can give us the money which will be put into the Sheriff's budget to assist with the funding of the SRO.

Supervisor Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the MOU upon Board Attorney Tony Nowak and Sheriff Bill Rasco final approval of the MOU with DeSoto County Board of Education and make a budget amendment to move the money into the Sheriff's budget to pay for the SRO.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## **No Exhibit**

### **7. Personnel – Sheriff's Department**

This item was determined not to qualify for executive session.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to come out of Executive session to discuss a personnel issue pertaining to the Sheriff's department.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Human Resource Director Janna Rogers said they had received an unemployment claim on an employee in the Sheriff's department who is an active employee. She said this employee had his Social Security number compromised and someone drew unemployment under his name. She said this employee is now a victim of identity fraud and the employee is working to straighten out several things as a result of this crime.

Ms. Rogers said she sent a letter to Mississippi Department of Employment Security disputing the unsubstantiated charge. She said as a result we have deducted \$235.00 from the January 2015 billing statement.

Ms. Rogers said the agreement with MDES is one where the County could be fined or penalized for not paying a billing statement in full.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve Board Attorney Tony Nowak to work with Ms. Rogers on the falsified unemployment claim.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>

Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

### 8. Litigation- William Depriest

This item was later determined to qualify for executive session.

### 9. Property Acquisition – Jail

This item was later determined to qualify for executive session.

### 10. Sheriff Radar

Board Attorney Tony Nowak said that currently the Sheriff’s department had no authority to purchase or use radar in unincorporated areas of the county. He said that the first draft local and private agreement presented to the Board authorized the Board of Supervisors to purchase radar speed detection equipment and also, authorized the Sheriff’s department to operate and use this equipment as a means to enforce the motor vehicle speed limits. The revised draft local and private authorizes the purchase of radar equipment only if the Sheriff has been authorized by law to run radar.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Resolution of DeSoto County Board of Supervisors requesting Local and Private Legislation for Authority to Purchase and for the DeSoto County Sheriff’s Department to use, Radar Speed Detection Equipment as presented by Board Attorney Tony Nowak and approve submitting the agreement to the Legislators.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>ABSTAIN</u>

### 11. Road Manager Andy Swims requested deleting item I.6, he asked to carry over this item until the next Board meeting in February.

### 12. Litigation- 7885 Southridge

This item was later determined to qualify for executive session.

## F. CITIZEN REMARKS & PRESENTATIONS

Supervisor Bill Russell asked if there was anyone who wished to come forward who is not on the Agenda.

No one came forward.

## G. CONSENT AGENDA

The Board of Supervisors considered the following items on the meeting’s Consent Agenda.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Consent Agenda as follows:

### 1. Department of Human Resources: Monthly Health Claims Report

The following is a recap of all insurance claims funded for the month of January and paid to Humana:			
Funding Request	Date Paid	Amount	Claim Type
Date			
1/1/15	1/6/15	\$85,999.55	Administration Fees
1/6/15	1/7/15	\$57,135.00	Medical
1/6/15	1/7/15	\$4,988.26	Dental
1/6/15	1/7/15	\$13,761.16	Pharmacy
1/12/15	1/13/15	\$35,040.92	Medical
1/12/15	1/13/15	\$1,739.50	Dental
1/12/15	1/13/15	\$20,782.52	Pharmacy
1/19/15	1/21/15	\$77,034.76	Medical
1/19/15	1/21/15	\$2,333.20	Dental
1/19/15	1/21/15	\$17,660.96	Pharmacy
1/26/15	1/27/15	\$34,249.42	Medical
1/26/15	1/27/15	\$10,543.80	Dental
1/26/15	1/27/15	\$20,923.92	Pharmacy
	TOTAL	\$382,192.97	

## 2. Publication of Board Proceedings

## 3. Office of Finance & Accounting

### a. Sheriff Department – SID: Forfeitures

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-57324	TENILLE POPLAR-SCOTT	01/05/15	NISSAN	2004	MAXIMA (SILVER)	1N4BA41E64C802411	3000.00
COUNTY ASSET #44064						T210-L227-F120-D200		
SID	2014-11285	DEUNDRE C GREEN	01/05/15	BUICK	2001	LASABRE LLF (WHITE)	1G4HR54K41U168876	2600.00
COUNTY ASSET #44065						T210-L227-F120-D200		

### b. Inventory Disposition-Final: Information Technology

DEPT		Information Technology										DEPT #:	152
NAME													
ASSET #	GRANANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR	COST	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL		
33429		HP LASERJET 1012 PRINTER	SCNFB142405	does not recognize new toner	04	2H	IT Storage RM	11/03/15	FELICIA HOPPER	E-WASTE			
35700		DELL 17" LCD	CN0F7170476064CDAFHS	Video drops	05	4H	IT Storage RM	"	"	"			
36385		DYMO LABEL WRITER	93038-0072185	will not print	05	1H	IT Storage RM	"	"	"			
37061		SAMSUNG 21.3 LCD	BR21HCHL500025	bad back light	06	6H	IT Storage RM	"	"	"			
37090		ACER TOWER PC	PSP3006001633050522703	motherboard failure	06	5H	IT Storage RM	"	"	"			
38105		HP DESKJET 6940 PRINTER	SMY74I9R1HQ	will not print color	07	1H	IT Storage RM	"	"	"			
38891		TFT 25" MONITOR	912MY1NA00486	bad back light	09	2H	IT Storage RM	"	"	"			
40556		SAMSUNG 19" LCD MONITOR	MY9H9NSC45414	power failure	10	2H	IT Storage RM	"	"	"			
41116		DELL OPTIPLEX 745 PC	GB23MC1	motherboard failure	10	4H	IT Storage RM	"	"	"			
41260		HP COLOR LASERJET PRNTR	CNGSC41845	makes grinding sounds	11	4H	IT Storage RM	"	"	"			
41268		DELL OPTIPLEX	4ZZMRC1	damaged from power surge	11	4H	IT Storage RM	"	"	"			
41406		DELL 20"FP MONITOR	MX-OG324H-74262-11B-2G1	damaged from power surge	11	3H	IT Storage RM	"	"	"			
41533		XEROX PHASER PRT	ART389344	ink smears	11	1K	IT Storage RM	"	"	"			
41879		DELL OPTIPLEX /TOM	25YR9F1	Bad Power Supply	12	3H	IT Storage RM	"	"	"			
43130		APPLE IPHONE 4 /JDG BRAD RUSSELL	C8TK94WWDP0V	Broke Screen	13	5H	IT Storage RM	"	"	"			
43198		APPLE IPHONE 4 /JOSH FORTENBERRY	C8TK92Q4DP0V	Water damage	13	5H	IT Storage RM	"	"	"			
43201		APPLE IPHONE 4 /RAY HENLEY	C8TK92QHDP0V	Water damage	13	5H	IT Storage RM	"	"	"			



**4. Office of Procurement: Request to Accept and Approve Bid Specifications and Solicit Bids for Pharmaceutical Supplies for EMS and Sheriff Departments**

**5. Road Department**

**a. Road Report      b. Road Bond Report**

**6. Chancery Clerk Allowance (2)**      \$1,350.00      \$2,416.66

**7. Tax Assessor's Office: Corrections for the 2014 Land Roll**

**a. Notice to Increase the Assessment of Real Personal Property (2)**

**b. Petitions for Reduction of Assessment**

**8. Tax Collector's Office: Voided Tax Sale (2)**

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit G**

**H. OLD BUSINESS**

**1. Volunteer Fire Allocations**

County Administrator Vanessa Lynchard said Fire Department approved the wording in the agreements. She said the language in the agreements regarding funding of Workers Compensation insurance has been approved. Ms. Lynchard said need their tax and fire distributions. Ms. Lynchard said the Board needs to approve cutting the checks once they are approved by the State.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the clerk cutting the checks and Board President to sign required documents upon Board Attorney Tony Nowak final approval.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**No Exhibit**

**2. DHS Phone Update**

County Administrator Vanessa Lynchard said the State will participate with fifty percent of the cost of the DHS phone system. IT Director John Mitchell said it could be around \$17,000 but he is still waiting on a few things. Ms. Lynchard said no action needs to take place today on this matter. She only wished to keep the Board updated.

**No Exhibit**

**3. Board Attorney**

**a. Series 2015 G.O. Bond, Not to Exceed \$7.5 Million**

Board Attorney said the General Obligations Bonds to help pay for E911 improvements was originally approved for an amount not to exceed \$7.5 million. DeSoto County Financial Advisor Demery Grubbs said after discussions with E911 they wish to change the bond from 7.5 to 6.5 million. Mr. Nowak said Butler Snow is recommending the Board of Supervisors approve the amended Resolution.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Resolution authorizing amendment of Bond Resolution and Notice of Bond Sale (revised to \$6,500,000) as detailed in Exhibit H.3.a; and Board President to sign all required documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.a**

**b. Series 2015 G.O. Refunding Bond, Not to Exceed \$12.5 Million**

Board Attorney Tony Nowak said in October of 2014 the issuance of the refunding bonds was approved. He said Mr. Grubbs held off selling because of the market. Mr. Nowak said Mr. Grubbs is ready to issue the bonds but the Board of Supervisors needs to amend the bond resolution approved on October 27, 2014, in connection with the sale and issuance of the not to exceed \$12,500,000 General Obligation Refunding Bonds, Series 2015.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Resolution approving amendment to Series 2015 G.O. Refunding Bond, Not to Exceed \$12.5 Million and authorize Board President to sign required documents as required in Exhibit H.3.b.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.b**

**c. Swinnea Road**

- 1. MOU Option 1**
- 2. MOU Option 2**

Board Attorney Tony Nowak said he has two addendums to the MOU for the Board to consider, which will account for the additional funding the Board voted to provide at the last meeting. Mr. Nowak said The City of Southaven has proposed two addendums. Option 1 calls for the County to reimburse The City as it invoices the County. Option 2 calls for the County to pay the full amount after the contract is let. He said The City of Southaven is recommending Option 2 as detailed in Exhibit H.3c.2 less what the County has already paid.

Supervisor Mark Gardner clarified if the Board approves Option 2 then the County will issue a

check to The City of Southaven within thirty days from today.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the amended MOU Option 2 as detailed in Exhibit H.3.c.2 and Board President to sign documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.c.1**

**See Exhibit H.3.c.2**

#### **d. Johnson Creek Greenway: MOU**

Board Attorney Tony Nowak said he has the Johnson Creek Greenway MOU for their consideration. He said MDOT has designated the County overseeing the project with a 20% match or \$160,000. MDOT will not guarantee a match but will consider a match request upon submission of the information.

Supervisor Jessie Medlin asked Larry Jarrett, Director of DeSoto County Greenways and Parks if he had \$160,000 in his budget.

Mr. Jarrett said there is some money in the budget but not \$160,000. He said he would like to discuss this with the Parks Commissioners.

Supervisor Medlin said he doesn't want the whole park budget to go into this project.

It was mentioned that Engineer Tracy Huffman has said the project could exceed \$800,000 because of the bridges that have to be built to federal standards. Mr. Jarrett said there are three bridges.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to table this matter and appoint the following: Supervisor Bill Russell, Supervisor Michael Lee, County Administrator Vanessa Lynchard, Board Attorney Tony Nowak, Director of DCGP Larry Jarrett and Environmental Services Manager Ray Laughter to a committee to make a decision on whether to proceed with MDOT TAP funding for the Greenway.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.d**

#### **e. Walls Sewer District: Property Transfer**

Board Attorney Tony Nowak said several meetings ago the Board asked him to work with the Town of Walls regarding a Sewer District-Property Transfer. He said going back 15 years, an agreement was reached that when the debit service for the sewer system construction is paid off the County would transfer all easements to the Town of Walls. He said the debt service has been paid and there are 25 easements the Board will be signing over as detailed in Exhibit H.3.e.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the Walls Sewer District-Property Transfer as detailed in Exhibit H.3.e and Board

President to sign all required documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.e**

## **I. NEW BUSINESS**

### **1. Advertise County Resources: Lewisburg High School Golf Team**

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve an allocation from Advertising County Resources of \$150 to the Lewisburg High School Golf Tournament which is being held May 6<sup>th</sup> and 7<sup>th</sup> ; after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board of Supervisors noted that a banner must be placed at the site of the event to advertise the resources of DeSoto County according to the approved policy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**No Exhibit**

### **2. Delta Bluffs Scenic Byway Legislation: House Bill 1022**

Larry Jarrett, Director of DeSoto County Greenways and Parks, said House Bill 1022 was passed out of the House Transportation Committee that added a segment of Robertson Gin Rd as a State Scenic Byway to the Delta Bluff Scenic Byways system as requested by former Supervisor Harvey Lee. Mr. Jarrett said this was approved last year by the Board and the bill got held up in committee because of a segment of Harrah's parkway located in Tunica County. He said that language was removed just to include the Robertson Gin Rd addition (line 24-30 of Exhibit I.2).

Mr. Jarrett said Representative Pat Nelson said that it would need approval from the Board of Supervisors in its present form before it can be voted upon since minutes from last year included the Harrah's portion which has been deleted.

Board Attorney Tony Nowak said he has prepared a resolution which the Board can approve and then be sent to the legislation.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve changes to House Bill No. 1022 in the form shown as Exhibit I.2, and thereby designate certain sections of four DeSoto County roads as an official Scenic Byway to be known as the Delta Bluffs Scenic Byway and approve Board President signing required Resolution as detailed in Exhibit I.2.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.2**

### **3. Contracts Administration: Hernando Chiller Plant- EK Automation Service Contract**

Director of Administration and Procurement Pat McLeod said it was time to renew the Chiller Maintenance Contract with E/K Automation. She said this is an annual contract we renew each year. Ms. McLeod said as part of our contract with Seimens we are to use an authorized dealer to do preventative maintenance on the chiller.

County Administrator Vanessa Lynchard said EK Automation is not owned by Seimens and they work very well with facilities and the needs of the County.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to renew the Chiller Contract with E/K Automation

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.3**

### **4. Office of Finance and Accounting**

#### **Claims Docket**

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Mark Gardner asked about the following claims:

Page 15- Nichols Fire. Mr. Arnold said he would look this up. Later in the meeting Mr. Arnold said it was for smoke alarms.

Page 17- Solar Winds. Mr. Arnold said this is a service maintenance agreement. Director of IT John Mitchell said it is maintenance on the e-box software.

Page 40- Teel Inc. Mr. Arnold said this is a claim for the Forensic and the Secret Service will reimburse us for the claim.

Page 46- Funderburk's Pharmacy. Sheriff Bill Rasco said it was for the one prisoner who is on dialysis awaiting trial.

Page 62- Interstate Bails Bonds. Mr. Arnold explained the bond process to the Supervisors and said this is a refund due to Interstate Bails Bonds for returning a wanted prisoner.

Page 63- Katherine Sanders two claims. Mr. Arnold said this is mileage reimbursement for June – December for Circuit Court Reporter. He said the other claim is cell phone allowance.

Page 70- Holiday Inn. Mr. Arnold said it was Chief Deputy Director of EMA Chis Olson to handle

inventory for FEMA.

Page 47- Sportsman's Warehouse. Sheriff Bill Rasco said this was to purchase five GPS units for Search and Rescue.

Page 77- Smith, Phillips, Mitchell, Scott and Nowak. Board Attorney Tony Nowak said it was for forfeiture of seized funds that have to go through the courts.

Page 82- Neel-Schaffer. Mr. Arnold said it is a standing contract to handle storm water issues.

Supervisor Gardner asked Road Manager Andy Swims if he looked over all the claims as it relates to page 83 of the claims docket. Mr. Swims said he does review and approve each bill. Mr. Swims said we will get reimbursed 80% for the work we did on College Rd.

Page 89- CVB. Mr. Nowak said when the check came in from the Department of Revenue it was wrong. He said the check from DOR should have been \$571,996.05 less \$88,157.84 for the first reimbursement payment to DOR. Mr. Arnold said a check will need to be issued to the CVB for \$483,838.24 and a check for \$304,553.76 issued to the Department of Revenue.

Supervisor Jessie Medlin asked about the following claims:

Page 74 & 75- Waste Connections. Supervisor Medlin wanted to know about the charges for the City of Southaven and City of Olive Branch rubbish. He asked Environmental Service Manager Ray Laughter to clarify the charges.

Mr. Laughter said Southaven does not separate their house hold waste from rubbish.

Supervisor Medlin said we need to have a meeting with the cities because they are causing us more money with the mixed loads.

Supervisor Medlin asked about the payment to Dr. Washington, he wanted to know if we are paying him for January or February. Mr. Arnold said accounting will write the check in the beginning of the month and holds the check till the end of the month.

Supervisor Lee Caldwell asked about the following claims:

Supervisor Caldwell asked for clarification identifying the buildings for claims to Atmos and Entergy on page 12, 13, 73 and 83.

Page 90- Northwest. Mr. Arnold said settling the levies.

Page 91 Northwest. Mr. Arnold said this was for another levee.

Supervisor Jessie Medlin asked about the claim from Entergy on page 13 for Love Fire Department. He said he thought this would go away.

County Administrator Vanessa Lynchard said it is possible we could see some bills for past cut off dates.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer with the one revision to the CVB.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Michael Lee, Fifth District YES

## 5. Road Department: Work Schedule

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Department of Road Management Work Schedule for February 2015 as presented by Road Manager Andy Swims.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.5**

## 6. Board Attorney: Starlanding Road

This item was deleted from the Agenda and held over to be discussed at the next Board meeting.

## J. PLANNING COMMISSION AGENDA

### 1. NEW BUSINESS

#### a. **Design Standards Variance Request – Russell Broadway, 7003 Byhalia Rd., District 5**

Mr. Tom Haysley presented the request by Russell Broadway for an exemption to the Designs Standards. He stated Mr. Broadway has proposed 6' additions to either side of the existing building.

Supervisor Lee made a Motion to approve the request by Russell Broadway for an exemption to the Designs Standards to allow for 6' additions to either side of the existing building. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

### 2. OTHER ITEMS

#### a. **Presentation: Mid-south Regional Greenprint & Sustainability Plan. John Zeanah, Memphis and Shelby County Office of Sustainability**

Mr. John Zeanah with Memphis and Shelby County Office of Sustainability presented the Mid-south Regional Greenprint & Sustainability Plan.

Supervisor Medlin asked what counties were included in the plan. Mr. Zeanah stated Shelby, Crittenden, Fayette and DeSoto Counties were included in the plan. Supervisor Russell asked if all of DeSoto County was included. Mr. Zeanah stated just the areas included in the MPO for now.

Supervisor Russell stated the Board of Supervisors adopted a Greenways Plan that is used by Planning Staff for subdivision applications and other projects would this plan add to it. Mr. Haysley stated yes it would add to the current greenways plan and staff would look at both the

Greenprint and Greenways plan when working on staff reports. Supervisor Russell stated he did not want it to become more cumbersome.

Supervisor Caldwell asked how it was determined where the green space would go in the Plan. Mr. Zeneah stated they looked at previous plans to see what has already been recommended and worked with Larry Jarrett for recommendations for the areas in DeSoto County. Supervisor Russell asked if this plan follows the current greenways areas. Mr. Haysley stated it does align with most of the current plan, but does add more space to the current area.

#### **b. Planning & Building 2014 Year End Report**

Mr. Haysley gave the Year End Report for 2014 and went over the Planning Departments goals for 2015.

Supervisor Gardner asked if we can now accept permits and credit card fees without the customer coming in to the office. Mr. Haysley stated that for now the customer will still need to come in to actually sign the permit.

Ms. Lynchard stated there were previous discussions about how to be able to take permits and fees via credit cards, but during the discussions it grew to be more. She then stated that the discussion needs to go back to only what the Board asked to be looked into.

Supervisor Gardner made a Motion to authorize Tony Nowak to work with the Planning Department and Ms. Lynchard to make the permit process more user-friendly. Supervisor Caldwell seconded the Motion.

#### **THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

#### **K. EXECUTIVE**

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

Supervisor Jessie Medlin the motion to recess the Board meeting until February 18, at 9:00 a.m. The motion was seconded by Supervisor Lee Caldwell.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

THIS the 2<sup>nd</sup> day of February, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

---

Bill Russell, President  
DeSoto County Board of Supervisors